

IN RE: LUIS FRANCISCO GONZALEZ COLON
MARILYN RODRIGUEZ RIOS

Bankruptcy Number:14-08398-BKT
Chapter 13

- AMENDED -

TRUSTEE'S OBJECTION TO PROPOSED PLAN CONFIRMATION UNDER SECTION 1325

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: JOSE A LEON LANDRAU*

Total Agreed: \$3,000.00 Paid Pre-Petition: \$0.00 Outstanding (Through the Plan): \$3,000.00

*TRUSTEE'S POSITION RE CONFIRMATION UNDER U.S.C. §1325

Debtor(s) Income is (are) ☐ Under ☒ Above Median Income

Liquidation Value: \$0.00

Commitment Period is ☐ 36 months ☒ 60 months §1325(b)(1)(B) General Unsecured Pool: \$15,040.20

With respect to the (amended) Plan date: Dec 03, 2014 (Dkt 24) Plan Base: \$23,460.00

The Trustee: ☐ DOES NOT OBJECT ☒ OBJECTS Plan Confirmation Gen. Uns. Approx. Dist.: 0.4 %

The Trustee objects to confirmation for the following reasons:

[1325(a)(6)] Insufficiently Funded – Plan funding insufficient to comply with Above Median Income Debtor(s) Projected Disposable Income. [1325(b)(4)]

The minimum base needed totals approximately \$40,000.00.

[1325(a)(8)] DSO Payment Default – Debtor(s) is in default with postpetition DSO payments.

Debtor has failed to submit evidence of being current with post petition DSO payments (1 account). Debtor must submit evidence of being current with such obligation up until the confirmation of the plan. As per evidence submitted, Debtor's last DSO payment was made November 2014.

*OTHER COMMENTS / OBJECTIONS

As per Debtor's amended Schedule I, Debtor's business is underwater. Debtor loses \$212.00 in the operation of the same. Debtor has failed to establish that operating said business is needed for his reorganization.

Debtor has failed to submit last annual statement for Pitsa Corp.

LA FAMILIA PAWN, alleged secured creditor provided for in the case, is yet to file its proof of claim. Said creditor will not participate from the disbursements until it files its claim.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(S), and to her/his/their attorney through CM-ECF notification system.

Last Dkt.: 34
Last Claim: 7